



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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DA 02-646

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Released: March 18, 2002

**WIRELESS TELECOMMUNICATIONS BUREAU AND COMMON CARRIER BUREAU  
GRANT CONSENT FOR TRANSFER OF CONTROL OF LICENSES  
FROM AFFILIATES OF CONESTOGA ENTERPRISES, INC. TO  
AFFILIATES OF D&E COMMUNICATIONS, INC.**

**WT Dkt. No. 02-11**

On December 26, 27, and 28, 2001, The Conestoga Telephone and Telegraph Company, CEI Networks, Inc., Conestoga Enterprises, Inc. ("CEI"), Buffalo Valley Telephone Company, Conestoga Mobile Systems, Inc., Conestoga Wireless, Inc., and D&E Acquisition Corp. filed applications pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended,<sup>1</sup> requesting Federal Communications Commission ("Commission") approval to transfer control of Commission licenses and authorizations directly or indirectly held by CEI, to provide domestic and international telecommunications services pursuant to parts 22, 24, 63, and 90 of the Commission's rules, to D&E Communications, Inc. ("D&E"), the parent company of D&E Acquisition Corp.<sup>2</sup> Pursuant to section 214 and 310(d) of the Communications Act of 1934, as amended,<sup>3</sup> and sections 0.291 and 0.331 of the Commission's rules,<sup>4</sup> the Wireless Telecommunications Bureau and Common Carrier Bureau approve the following applications requesting Commission consent to transfer control of licenses and authorizations currently held by CEI to D&E.<sup>5</sup> No comments or petitions to deny were received in response to the Comment Public Notice announcing that the application had been accepted for filing.<sup>6</sup> The Bureaus find,

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<sup>1</sup> 47 U.S.C. §§ 214, 310(d).

<sup>2</sup> See Commission Seeks Comment on Applications for Consent to Transfer Control of Licenses and Authorizations held by Affiliates of Conestoga Enterprises, Inc. to Affiliates of D&E Communications, Inc., *Public Notice*, 17 FCC Rcd. 1639 (2002) ("Comment Public Notice").

<sup>3</sup> 47 U.S.C. §§ 214, 310(d).

<sup>4</sup> 47 C.F.R. §§ 0.291, 0.331.

<sup>5</sup> The International Bureau granted the transfer of control (application no. ITC-T/C20011227-00655) for the international section 214 authorization (authorization number ITC-214-19970707-00382) held by Conestoga Networks, Inc., a subsidiary of CEI, to D&E on February 14, 2002, subject to the approval we grant in this public notice. See International Authorizations Granted, *Public Notice*, DA 02-358, at 2 (rel. Feb. 14, 2002).

<sup>6</sup> See Comment Public Notice at 1.

upon consideration of the record, that the proposed transfers will serve the public interest, convenience, and necessity.<sup>7</sup>

## APPLICATIONS

This Public Notice pertains to the following applications for transfer of control. This is a non-exhaustive list of the license and authorization applications involved in this transaction. Interested parties should refer to the applications filed in WT Docket No. 02-11 for a complete listing of licenses and authorizations.

### I. SECTION 310 APPLICATIONS

The Wireless Telecommunications Bureau finds, upon consideration of the record, that the proposed transfers will serve the public interest, convenience, and necessity. The following applications for consent to transfer control of Paging and Radiotelephone Service, Personal Communications Services (“PCS”), and Industrial/Business Radio Service licenses from CEI to D&E are hereby granted.

<u>File Number</u>	<u>Licensee</u>	<u>Lead Call Sign</u>
0000709851	The Conestoga Telephone & Telegraph Company	KNKB667
0000715124	Conestoga Mobile Systems, Inc.	KUO634
0000709872	Conestoga Wireless, Inc.	KNLG701
0000709842	Buffalo Valley Telephone Company	WYX575
0000709861	The Conestoga Telephone & Telegraph Company	KD46646
0000709866	CEI Networks, Inc.	WPNA263

### II. SECTION 214 APPLICATIONS

The Common Carrier Bureau finds, upon consideration of the record, that the proposed transfers will serve the public interest, convenience, and necessity. Therefore, pursuant to Section 214 of the Communications Act of 1934, as amended,<sup>8</sup> and section 63.01 of the Commission’s rules,<sup>9</sup> the applications for transfer of the Section 214 authorizations for the provision of domestic telecommunications services held by CEI to D&E are hereby granted.

Pursuant to section 1.103 of the Commission’s rules,<sup>10</sup> the consent granted herein is effective upon release of this Public Notice. Pursuant to sections 1.106(f) and 1.115(a) of the Commission’s rules,<sup>11</sup> petitions for reconsideration and applications for review may be filed within thirty days of the release of this public notice. By this approval, the parties are authorized to proceed to the final stages of their respective transactions. Section 1.948(d) of the Commission's rules provides that “the Commission

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<sup>7</sup> See 47 U.S.C. § 310(d).

<sup>8</sup> *Id.* § 214.

<sup>9</sup> 47 C.F.R. § 63.01.

<sup>10</sup> *Id.* § 1.103.

<sup>11</sup> *Id.* §§ 1.106(f), 1.115(a),

shall be notified by letter of the date of completion of the assignment or transfer of control.”<sup>12</sup> Hence, we remind parties that an assignment shall not be considered complete until the underlying transaction closes and all conditions set forth in the grant documents, including this Public Notice and the application, are met.

For further information, contact Lauren Kravetz Patrich, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240.

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<sup>12</sup> *Id.* § 1.948(d).